

## **Chapter 4**

### **“A” AGRICULTURAL DISTRICT**

#### **4.01 PRINCIPAL PERMITTED USES**

- A. Farms
- B. Single Family Dwellings
- C. Cultivation of plants and plantings, including nurseries, when not involving retail sales, or advertising of sales, on the premises.
- D. Specialized raising: poultry, pigeon, rabbit, and other similar animals.
- E. Dog kennels and veterinary establishments, but not nearer than two hundred (200) feet to any zoned residential district, or dwelling other than the dwelling of the lessee or owner of the site.
- F. Public and private forests and wild life reservations.
- G. Churches and other places of worship and Sunday school buildings, located not less than 40 feet from any other lot in any residential district.
- H. Schools and colleges for academic instruction, located not less than 40 feet and public buildings including libraries, museums and art galleries, located not less than 20 feet from any other lot in a Residential District.
- I. Public parks, playgrounds, recreational and community center buildings and grounds, provided that any principal building used therefore shall be located not less than 40 feet from any other lot in a residence district.
- J. Hospitals and institutions of an educational, religious, charitable, or philanthropic nature, provided, however, that such buildings shall not be located upon sites containing an area of less than five acres, may occupy not over ten percent of the total area of the lot, that the building shall be setback from all yard lines a distance not less than two feet for each foot of building height.

#### **4.02 CONDITIONAL USES REQUIRING BOARD AUTHORIZATION**

- A. Airport or aircraft landing area
- B. Roadside stands offering the sale only agricultural products grown on the premises from any of the uses specified in Section 4.01 above. Roadside stands shall be removed during any season or period when they are not being used.

- C. Country clubs, golf courses and other private non-commercial recreational areas and facilities or recreation centers, including swimming pools, provided that any principal building or swimming pool shall be located not less than 100 feet from any other lot in any residence district.
- D. Static transformer stations, and other utility station, provided there is no yard or garage for service or storage.
- E. Removal of dirt, top soil, except that such removal shall be limited to areas not less than 200 feet from street or highway right-of-way lines and not less than 50 feet from property lines, provided that any building housing power driven or power producing machinery or equipment shall be located at least 400 feet from any lot in any residence district.
- F. Cemetery including crematorium.

**4.03 ACCESSORY USES**

- A. Accessory uses, buildings, or other structures customarily incidental to any aforesaid permitted use, including barns, stables, and garages under conditions specified herein, provided that such accessory uses shall not involve the conduct of business, trade, or industry, or any private way or walk giving access to such activity.
- B. Customary professional activities carried on by a member of the immediate family, residing on the premises.
- C. The maximum size of an accessory structure shall be in accordance with the table below:

Description	Size
Lots less than one acre	900 square feet
Lots one acre up to five acres	1,200 square feet
Lots five acres or greater	1,800 square feet

- D. Accessory structures shall not occupy more than 30% of the rear yard

#### **4.04 HEIGHT REGULATIONS**

- A. No building shall exceed two and one-half stories or 35 feet in height except as provided below.
- B. Public, semi-public or public service buildings, hospitals (except as otherwise provided), institutions, or schools, when permitted in a District may be erected to a height not exceeding 60 feet, and Churches and Temples may be erected to a height not exceeding 75 feet if the building setback from each required yard line at least one foot of each additional building height above the height limit otherwise provided in the District in which the building is built.
- C. Church spires, domes, flagpoles, aerials, windmills, chimneys, cooling towers, elevator bulkheads, fire towers, belfries, monuments, stacks derricks, conveyors, state towers or scenery lofts, tanks, water towers, silos, farm buildings, or necessary mechanical appurtenances, may be erected to any lawful and safe height.

#### **4.05 FRONT YARD AREA REGULATIONS**

- A. There shall be a front yard 50 feet in depth measured from the right-of-way line. The right-of-way of any street shall be deemed to be 50 feet.
- B. Unless a greater width is proposed in the official highway map of Clermont County. In that case, the front yard shall be measured from the property right-of-way as shown in said map. However, no alignment setback or front yard depth shall be required to exceed the average of the minimum depths of the existing front yards on the lots adjacent on each side, if such lots are within 100 feet.
- C. Where lots have a double frontage, the required front yard shall be provided on both streets.
- D. Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot, except that the buildable width of such lot shall not be reduced to less than 40 feet. No accessory building shall project beyond the front yard line on either street.

#### **4.06 SIDE YARD AREA REQUIREMENTS**

There shall be a side yard on each side of a building, which yard shall have a width of not less than 20 feet.

#### **4.07 REAR YARD AREA REGULATIONS**

There shall be a rear yard having a depth of not less than 40 feet.

#### **4.08 PROJECTIONS INTO REQUIRED YARDS**

Terraces, uncovered porches, platforms and ornamental features which do not extend more than three feet above the floor level of the ground (first) story may project into a required yard, provided these projections be distant at least two feet from the adjacent side lot line.

- A. Open or lattice-enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers projecting into a yard not more than five (5) feet, and the ordinary projections of chimney and flues are permitted.
- B. An open unenclosed or screened porch, or paved terrace may project into a front yard for a distance not exceeding five feet.

#### **4.09 INTENSITY OF USE**

Every lot or tract of land shall have a minimum width of 150 feet at the building line and an area of not less than 40,000 square feet.

#### **4.10 OTHER DEVELOPMENT CONTROLS**

- A. Fences are permitted on all lots as described and regulated below:

Interior Lot – less than 40,000 square feet

- Fences are permitted in the rear and side yards
- Fences can be no more than six feet above grade
- Fences are not permitted within the public right-of-way
- Fence gates cannot swing open onto adjacent property or onto the public right-of-way.
- Fences in the rear and side yards may be solid in construction.
- Fences must be of uniform height, material and design
- No fence shall be constructed so that any unfinished portion faces or is visible from an adjacent property or street.

Interior Lot – 40,000 square feet or larger

- Fences are permitted in the front, rear and side yards

- Fences in the rear and side yards can be no more than six feet above grade. Fences in the rear and side yard must be of uniform height, material and design
- Fences in the front yard shall be no more than four feet above grade and shall have an open face area of no less than 50%. Fences are not permitted within the public right-of-way
- Fence gates cannot swing open onto adjacent property or onto the public right-of-way.
- Fences in the rear and side yards may be solid in construction.
- No fence shall be constructed so that any unfinished portion faces or is visible from an adjacent property or street.

#### Corner Lot – less than 40,000 square feet

- Fences are permitted in the rear, side and corner side yards
- Fences in the rear and side yard can be no more than six (6) feet above grade
- Fences in the corner side yard can extend half way between the building corner side yard setback and the public right-of-way
- Fences in the corner side yard can be no more than four feet above grade and shall have an open face of no less than 50%. Fences in the corner side yard must be of uniform height, material and design.
- If a house on a corner lot has a side entry garage, the fence located in the corner side yard cannot extend beyond the rear corner of the house
- Lots in a platted subdivision shall not have a gate across the driveway
- Fences are not permitted within the public right-of-way
- Fence gates cannot swing open onto adjacent property or onto the public right-of-way.
- Fences in the rear yard may be solid in construction. Fences in the rear yard must be of uniform height, material and design.
- No fence shall be constructed so that any unfinished portion faces or is visible from an adjacent property or street.
- No fence shall be permitted within the required sight distance triangle

#### Corner Lots - 40,000 square feet or larger

- Fences are permitted in the rear, side and corner side yards
- Fences in the rear and side yards can be no more than six feet above grade. Fences in the rear and side yards must be of uniform height, material and design.
- Fences in the front and corner side yard shall be no more than four feet above grade and shall have an open face area of no less than 50%.
- If a house on a corner lot has a side entry garage, the fence located in the corner side yard cannot extend beyond the rear corner of the house
- Lots in a platted subdivision shall not have a gate across the driveway
- Fences are not permitted within the public right-of-way

- Fence gates cannot swing open onto adjacent property or onto the public right-of-way.
- Fences in the rear and side yards may be solid in construction.
- Fences in the front and side corner yards must be of uniform height, material and design.
- No fence shall be constructed so that any unfinished portion faces or is visible from an adjacent property or street.
- No fence shall be permitted within the required sight distance triangle

**LOT AREA, BULK YARD AND SCREENING REQUIREMENTS IN THE "A" DISTRICT**

REQUIREMENTS	"A" DISTRICT
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**A. LOT REQUIREMENTS:**

- |   |                    |
|---|--------------------|
| 1. Minimum Lot Area<br>(Single Family Dwelling) | 40,000 square feet |
| 2. Minimum Lot Width                            | 150 Feet           |

**B. MAXIMUM HEIGHT:**

- |                                      |         |
|--------------------------------------|---------|
| 1. Principal Building                |         |
| a. Stories                           | 2 1/2   |
| b. Height                            | 35 feet |
| Whichever is less                    |         |
| 2. Accessory Structures (note 1)     |         |
| a. 900 square foot building or less  | 15 feet |
| b. 901 to 1,200 square foot building | 18 feet |
| c. 1,201 to 1,800 square foot        | 22 feet |

**C. MINIMUM YARD REQUIREMENTS:**

- |   |                  |
|---|------------------|
| 1. Principal Building   |                  |
| a. Front  | 50 feet          |
| b. Side   | 20 feet          |
| c. Rear   | 40 feet (note 2) |
| 2. Accessory Structure (Minimum setback from side and rear yards) |                  |
| a. 900 square foot building or less                               | 10 feet          |
| b. 901 to 1,200 square foot building                              | 10 feet (note 3) |
| c. 1,201 to 1,800 square foot                                     | 10 feet (note 3) |

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(Note1) Except when the accessory use is for agricultural purposes then the maximum height shall be 35 feet.

(Note 2) For double frontage lots, the required front yard shall be provided on both streets.

(Note 3) An Accessory Building in excess of 15 feet in height must be setback an additional foot for each additional foot in height.

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